



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,393	06/13/2001	Ajit S. Nagral	wcs-00102	8675

7590 11/16/2004

Patent Group
Choate, Hall & Stewart
Exchange Place
53 State St.
Boston, MA 02109-2804

EXAMINER

FILIPCZYK, MARCIN R

ART UNIT	PAPER NUMBER
----------	--------------

2161

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/880,393

Applicant(s)

NAGRAL ET AL.

Examiner

Marc R Filipczyk

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004 and 07 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 51-100 is/are pending in the application.
- 4a) Of the above claim(s) 1-50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51-100 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This action is responsive to Applicant's response filed on May 4, 2004 made compliant on June 7, 2004. Claims 1-50 have been cancelled in preliminary amendments filed on 6/13/2001 and 9/3/2002. Claims 51-92 remain for examination and new claims 93-100 are submitted, thus claims 51-100 are pending.

Information Disclosure Statement

The information disclosure statements (IDS) received on May 4, 2004 is noted by Examiner. The submission is in compliance with the provisions of 37 CFR 1.97.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 68, 89, 93, 94, 97, 98 and 100 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 68 and 89, the segment, "corresponding coordinates" is indefinite. It is not clear what the coordinates correspond to and how they are obtained. Further, the segment, "concatenating a first of said text strings with a second of said text strings" is indefinite. It is not clear what is concatenated.

Art Unit: 2161

Regarding claims 93, 94, 97 and 98, the phrase, "controlling style" is indefinite. It is not clear what the meets and bounds of controlling are. Further, it is not clear what the style is corresponding to.

Claim 100 recites the limitation "The computer program" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 51-61, 63-67, 69-82, 84-88 and 90-100 are rejected under 35 U.S.C. 102(e) as being anticipated by Draper et al, hereinafter Draper (U.S. Patent No. 5,924,096).

Regarding claim 51-53, 61, 72-74 and 82, Draper teaches viewing a visual form of data associated with tags comprising: (fig. 2 and col. 9, lines 32-40)

selecting a database containing a plurality of reports wherein each report includes a visual form of the data and associated tags (fig. 3, items 202 and 204), the form corresponds to a display form; (fig. 2 and col. 9, lines 32-40)

(Note: data with tag is a report)

opening the database; (fig. 3, items 202 and 204)

Art Unit: 2161

issuing a query to the database; (fig. 5, items 508 and 510)

providing a list of reports including visual data and associated tags corresponding to the query; (result of fig. 5)

selecting at least one report from the list; (fig. 6, items 602 and 604) and,

constructing a named temporary file for each metafile corresponding to the at least one report selected; (fig. 6, items 608 and 610, col. 8, lines 16-21)

(Note: metafile consists of data of different formats) and,

Executing a previewer program which accesses a control file to view said visual form of the data represented by metafile data included in said temporary memory (col. 4, lines 18-22 and computers, fig. 1, items 110 and 122).

(Note: internet uses protocols to display data)

Regarding claims 54-58, 63-66, 75-79 and 84-87, Draper discloses printing, sending, deleting, previewing, and replicating data and passwords by security/permission access (col. 5, lines 57-65).

Regarding claims 59, 60, 80 and 81, Draper discloses querying the selected database with filter parameters (fig. 5, items 512, 514, 516 and 518).

Regarding claims 67 and 88, Draper discloses searching for instances of specified text in said one report selected (fig. 5, *constrains*).

Art Unit: 2161

Regarding claims 69-71 and 90-92, Draper system discloses selecting a portion of the metafile for partitioning (col. 12, lines 5-17) and representing the metafile in a new metafile.

Regarding claims 93 and 97, Draper discloses at least one of said reports includes a command for at least drawing a line (col. 9, lines 38-40).

(Note: html documents include lines, text and other document related data)

Regarding claims 94 and 98, Draper discloses command is associated with a portion of a display or print area (col. 9, lines 38-40).

(Note: html documents are displayed)

Regarding claims 95 and 99, Draper discloses visual form of the data is represented in a vector image (fig. 1, item 118, and col. 9, lines 38-40).

(Note: html documents are in vector image format)

Regarding claims 96 and 100, Draper discloses visual form of the data is represented in a metafile (fig. 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2161

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 62 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draper et al, (U.S. Patent No. 5,924,096) in view of Vachey (U.S. Patent No. 5,630,120).

Regarding claims 62 and 83, Draper discloses all the subject matter as discussed above including querying a database and displaying data with associated tags (fig. 1, Draper), but does not expressly teach an interface scrolling through a list of records. However, Examiner points out that selecting a record from a list that resulted from querying a database was common practice in querying systems at the time the invention was made. One example of such a system is Vachey. Vachey teaches optimizing a query from a relational database where a query scroller is used (fig. 2B, Vachey). Hence, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have used a scroller in Draper system by modifying Draper's query interface according to Vachey's interface. One would have been motivated to use a scroller in Draper in order to keep track of all the hits that resulted from querying the database.

Response to Arguments

Applicant's arguments and amendment filed May 4, 2004 and made compliant June 7, 2004 have been fully considered but they are not persuasive. The arguments and responses are listed below.

Art Unit: 2161

Applicant argues on page 18 of the 5/4/04 response that claims 67 and 88 are rejected as being anticipated by Draper, however the office does not appear to provide support or a basis for the rejection.

In response to Applicant's argument, Examiner disagrees. Claims 67 and 88 depend from rejected claims 51 and 72 respectively, further, claims 67 and 88 were rejected on 10/30/2003 by the Examiner as indefinite. The Applicant however has successfully amended claims 67 and 88, as such, Section 112 rejections for claims 67 and 88 are withdrawn.

Applicant argues on pages 21 and 22 of the 5/4/04 response that "Draper appears silent regarding any disclosure of tags associated with the visual form of the data."

In response to Applicant's argument, Examiner disagrees. Draper's data is clearly associated with tags (see figures 2-5) and is viewed by users via a browser (see col. 9, lines 32-42) therefore the data is viewable and by default printable. For more support, please see the rejection above.

Applicant argues on pages 23 and 24 of the 5/4/04 response that Vachey does not overcome the deficiencies of Draper with respect to Applicant's amended claim 51.

In response to Applicant's argument, Examiner disagrees. Note, Vachey is not relied upon to teach the subject matter of claim 51, as such the Examiner believes the argument is moot.

Conclusion

To expedite the process of examination Examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. amendments, 35 U.S.C. 112,

Art Unit: 2161

objections and the like) set forth by the Examiner that Applicants provide and link to the most specific page and line numbers of the disclosure where the best support is found (see 35 U.S.C. 132).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R Filipczyk whose telephone number is (571) 272-4019. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF

November 8, 2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100